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EXAMINER

MAIS, MARK A

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/593,821

Applicant(s)

KEUNG ET AL.

Examiner

Mark A Mais

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Pickett (USP 6,154,465).

3. With regard to claim 1, Pickett discloses a method for operating a telecommunications system comprises:

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receiving, at a first telecommunications system (**Fig. 2, communications system 50**), a telephone call from an external telephone line (**Fig. 3, telephone call received through WAN services network 58; *see also* col. 18, lines 41-43**);

determining that the telephone call will be transferred to an auto attendant located at a remote telecommunications system (**fig. 3, the VoIP call is forwarded to computer 24 which is running the office attendant; col. 18, lines 44-48; examiner has interpreted the computer 24 in Fig. 2 to be on the same network, but remote from, telecommunications system 50; and, it is inherent that the computer 24 could also be on a remote network; *see also* Fig. 12, col. 24, lines 8-45 describing auto attendant programs at different remote locations with inherently different computer addresses; *see also* Fig. 18, col. 43, line 53 to col. 44, line 45 describing auto attendant programs in configurations of different telecommunications systems coupled via WAN, LAN, Ethernet, remotely over the internet, ISDN, or T-1 links, which, inherently have different addresses**);

determining a computer network address of the remote telecommunications system and switching data associated with the auto attendant in response to the telephone call (**VoIP (col. 3, lines 9-13 and col. 13, lines 9-15) inherently sends TCP/IP packets which includes network address information and inherently the auto attendant information/address, *see* col. 18, lines 49-52**);

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coupling the first telecommunications system with the remote telecommunications system at the computer network address **(the VoIP call is initially addressed to the appropriate telephone number; see col. 18, lines 43-44);**

transmitting switching data associated with the auto attendant from the first telecommunications system to the remote telecommunications system via the Internet **(transmitted via WAN for the appropriate VoIP telephone number which, inherently, sends TCP/IP packets, see col. 18, lines 49-52);** and

coupling the telephone call to the auto attendant located at the remote telecommunications system in response to the switching data associated with the auto attendant **(fig. 3, the VoIP call is initially addressed to the appropriate telephone number before being forwarded to computer 24 which is running the office attendant either on the same network or, inherently, on a remote network; col. 18, lines 44-48).**

4. With regard to claims 2-9, Pickett discloses receiving additional input from the external telephone line **(inherently, this would be either DTMF tones (col. 2, line 49) or voice response (col. 46, lines 44-45) for use with POTS system, or TCP/IP information for VoIP for use via T1/ATM/Wireless portions of WAN 58);** and transmitting the additional data to the remote telecommunications system **(via WAN 58);** wherein the additional data is processed by the auto attendant located at the remote telecommunications system **(col. 18, lines 23-32; see also directory 27, col. 11, lines 40-43).**

5. With regard to claim 10, Pickett discloses a method for operating a distributed (**Figs. 2, 12 and 18**) telecommunications system comprises:

receiving a telephone call from an external telephone line into a first telecommunications system (**Figs. 3, 12 and 18, telephone call received through WAN services network 58; see also col. 18, lines 41-43;**);

coupling the external telephone line to an auto attendant located at the first telecommunications system (**fig. 3, the VoIP call is forwarded to computer 24 which is running the office attendant; col. 18, lines 44-48; examiner has interpreted the computer 24 in Fig. 2 to be on the same network, but remote from, telecommunications system 50; and, it is inherent that the computer 24 could also be on a remote network; see also Fig. 12, col. 24, lines 8-45 describing auto attendant programs at different remote locations with inherently different computer addresses; see also Fig. 18, col. 43, line 53 to col. 44, line 45 describing auto attendant programs in configurations of different telecommunications systems coupled via WAN, LAN, Ethernet, remotely over the internet, ISDN, or T-1 links, which, inherently have different addresses;**);

outputting a menu selection message to the external telephone line (**Fig. 3, directory information provided via WAN 58; see also col. 11, lines 40-43;**);

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receiving input data from the external telephone line for the auto attendant located at the first telecommunications system via a wide area network, in response to the menu selection message **(user inherently uses the directory information to connect to the correct person);**

determining a computer network address of a remote telecommunications system and switching data in response to the input data **(VoIP (col. 3, lines 9-13 and col. 13, lines 9-15) inherently sends TCP/IP packets which includes network address information and inherently the auto attendant information/address, see col. 18, lines 49-52);**

coupling the first telecommunications system with the remote telecommunications system located at the computer network address **(the VoIP call is addressed to the appropriate telephone number after accessing directory 27; see col. 11, lines 40-43);**

transmitting switching data from the telecommunications system to the remote telecommunications system; and coupling the telephone call to an auto attendant located at the remote telecommunications system in response to the switching data **(the office attendant inherently provides the correct routing information from directory 27 and connects or forwards the call to the appropriate user; see also transferred to particular extension, col. 18, lines 49-52; see also Fig. 12, col. 24, lines 8-45 describing auto attendant programs at different remote locations with inherently different computer addresses; see also Fig. 18, col. 43, line 53 to col. 44, line 45 describing auto attendant programs in configurations of**

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**different telecommunications systems coupled via WAN, LAN, Ethernet, remotely over the internet, ISDN, or T-1 links, which, inherently have different addresses).**

6. With regard to claims 11-20, Pickett discloses a (name) directory (**directory 27, col. 11, lines 40-43**) where a user can provide response input (**inherently, this would be either DTMF tones (col. 2, line 49) or voice response (col. 46, lines 44-45)** for use with POTS system, or TCP/IP information for VoIP for use via T1/ATM/Wireless portions of WAN 58) where the input is programmable (**inherent because controller 70 is a programmable processor**). Moreover, the system times-out from the first telecommunications system after a programmable time (**col. 19, lines 56-62**) or according to time of day (**col. 24, lines 34-35**). Pickett further discloses that the system is controlled by host processor 70 via software (**col. 7, lines 21-43**).

7. Claims 21-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Pickett (USP 6,154,465).

8. With regard to claim 21, Pickett discloses a method for operating a distributed (**Figs. 2, 12, and 18**) telecommunications system comprises:

receiving a telephone call from a telephone extension coupled to a first telecommunications system (**Fig. 3, telephone call received through WAN services network 58; see also col. 18, lines 41-43**);



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selecting a routing identifier associated with an auto attendant located at a second telecommunications system (**Fig. 18, col. 43, line 53 to col. 44, line 45 describing auto attendant programs in configurations of different telecommunications systems (with auto attendants) coupled via WAN, LAN, Ethernet, remotely over the internet, ISDN, or T-1 links, which, inherently have different addresses and routing identifiers for transport);**

determining a computer network address identifier of the second telecommunications system and connection data associated with the auto attendant in response to the telephone call (**VoIP (col. 3, lines 9-13 and col. 13, lines 9-15) inherently sends TCP/IP packets which includes network address information and inherently the auto attendant information/address, see col. 18, lines 49-52);**

coupling the first telecommunications system with the second telecommunications system located at the computer network address (**the VoIP call is initially addressed to the appropriate telephone number; see col. 18, lines 43-44; see also Figs. 12 and 18, col. 24, lines 8-45 describing auto attendant programs at different remote locations with inherently different computer addresses and can be accessed from different remote locations via, for example a WAN network, col. 24, lines 46-62, and from col. 43, line 53 to col. 44, line 45);**

transmitting connection data associated with the auto attendant from the first telecommunications system to the second telecommunications system located at the computer network address via a computer network (**transmitted via WAN for the appropriate VoIP**

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**telephone number which, inherently, sends TCP/IP packets, *see* col. 18, lines 49-52; *see also* Fig. 18, col. 43, line 53 to col. 44, line 45); and**

coupling the telephone call to the auto attendant located at the second telecommunications system in response to the connection data associated with the second telecommunications system (**fig. 3, the VoIP call is initially addressed to the appropriate telephone number before being forwarded to computer 24 which is running the office attendant; col. 18, lines 44-48; the office attendant inherently provides the correct routing information from directory 27 and connects or forwards the call to the appropriate user; *see also* transferred to particular extension, col. 18, lines 49-52; *see also* Fig. 12, col. 24, lines 8-45 describing auto attendant programs at different remote locations with inherently different computer addresses; *see also* Fig. 18, col. 43, line 53 to col. 44, line 45 describing auto attendant programs in configurations of different telecommunications systems coupled via WAN, LAN, Ethernet, remotely over the internet, ISDN, or T-1 links, which, inherently have different addresses).**

9. With regard to claims 22-29, Pickett discloses a (name) directory (**directory 27, col. 11, lines 40-43**) where a user can provide response input (**inherently, this would be either DTMF tones (col. 2, line 49) or voice response (col. 46, lines 44-45) for use with POTS system, or TCP/IP information for VoIP for use via T1/ATM/Wireless portions of WAN 58**) where the input is programmable (**inherent because controller 70 is a programmable processor**). Moreover, the second telecommunications system times-out after a programmable time (**col. 19, lines 56-62**) or

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according to time of day (**col. 24, lines 34-35**). Furthermore, Pickett discloses a WAN (**col. 24, line 49**), LAN (**col. 13, line 44**), the internet (**col. 6, line 65**), and packetized transfers (VoIP) via TCP/IP over the internet. Pickett further discloses that the system is controlled by host processor 70 via software (**col. 7, lines 21-43**).

### *Response to Arguments*

10. Applicant's amendments/arguments filed on May 11, 2004 have been fully considered but they are not persuasive.

11. Applicant argues that the amended independent claims 1, 10 and 21, now including the limitations of an auto attendant at either a second telecommunications network or a remote telecommunications network, are not included in the prior art. However, Picket et al. specifically discloses in Figs. 2, 12 and 18, that the auto attendant program can be coupled to another auto attendant program on the same network or a separate network (**examiner has interpreted the computer 24 in Fig. 2 to be on the same network, but remote from, telecommunications system 50; and, it is inherent that the computer 24 could also be on a remote network; see also Fig. 12, col. 24, lines 8-45 describing auto attendant programs at different remote locations with inherently different computer addresses; see also Fig. 18, col. 43, line 53 to col. 44, line 45 describing auto attendant programs in configurations of different telecommunications systems coupled via WAN, LAN, Ethernet, remotely over the internet, ISDN, or T-1 links, which, inherently have different addresses**). Furthermore, Applicant

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argues that claim 21 is distinguishable from the prior art because the system selects a routing identifier for the auto attendant located at a second telecommunications system. However, routing the call to the remote auto attendant (and therefore, selecting a routing identifier) is inherent if the call is being forwarded to the auto attendant on a remote network or to a remote site (See ID.).

12. Applicant argues that claims 2-9, 11-20, and claims 22-29 are allowable because of the limitations in each of their respective independent claims. However, those independent claims do not distinguish over the prior art and therefore, the rejections of the dependent claims (2-9, 11-20, and 22-29) stand.

### *Conclusion*

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

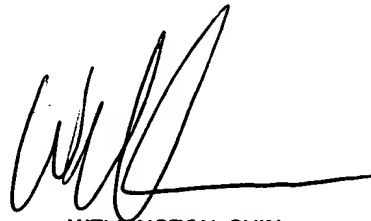
14. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A Mais whose telephone number is (703) 305-6959. The examiner can normally be reached on 8:00-4:30.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (703) 305-4366. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 30, 2004



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